



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF STATE COUNSEL
LITIGATION BUREAU

October 11, 2023

VIA ECF

The Honorable Frank P. Geraci, Jr.
United States District Court for the Western District of New York
United States Courthouse
100 State Street
Rochester, New York 14614

Re: *New York State Firearms Association, et al. v. Nigrelli*, No. 23-cv-6524-FPG

Dear Judge Geraci,

This office represents Steven A. Nigrelli, in his official capacity as Acting Superintendent of the New York State Police, the defendant in the above-referenced action. I write to request leave to file an additional ten pages in the Superintendent's upcoming memorandum of law opposing Plaintiffs' motion for a preliminary injunction, for a total of 35 pages.

The additional space is necessary in order to fully cover each prong of the preliminary injunction standard, and in particular to address the Supreme Court's recent opinion in New York State Rifle & Pistol Association v. Bruen, 142 S.Ct. 2111 (2022). Bruen requires both a textual analysis of the Second Amendment itself and, if the law at issue is found to impact the Amendment's text, a historical analysis of how each challenged measure is "consistent with this Nation's historical tradition of firearm regulation." Id. at 2126.

I have conferred with counsel for the Plaintiffs, who consent to the additional pages so long as they receive a similar ten additional pages for their reply. We thank the Court for its time and consideration of this request.

Respectfully submitted,

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Cc: All counsel of record (Via ECF)